

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Emmanuel Carrión

2411607721

Write the full name of each plaintiff.

No. **16cv09403**

(To be filled out by Clerk's Office)

**SECOND AMENDED
COMPLAINT**

(Prisoner)

-against-

John Doe 1

John Doe 2

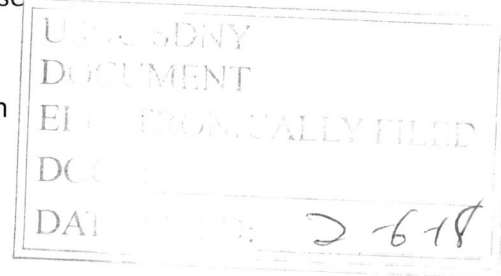
John Doe 3

Officer BARRY

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

Do you want a jury trial?

☒ Yes ☐ No



NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: _____

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

Emmanuel A Carrion
 First Name Middle Initial Last Name

Manny Carrion
 State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

2411607721 ~~BC~~ BC
 Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

VCBC
 Current Place of Detention

1 Halleck St BX N.Y. 10474
 Institutional Address

Boon X N.Y. 10474
 County, City State Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☒ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☐ Convicted and sentenced prisoner

☐ Other: _____

2nd Amended Statement:

Emmanuel Carrion

2411607721

Case 16-CV-09403

① DATES 6/3/16 ALSO on 11/3/16
June Nov.

- ② ON June police knocks on my door Ask me if the was screaming and yelling was ANYONE
- ③ fighting in my house, I said NO, they say why
- ④ they coming I said NO unless they have a warrant
- ⑤ my mother says let them in, I said no more
- ⑥ so now they force they way in I recognize
- ⑦ two or 3 COPS who enter my house, my
- ⑧ mom is tell them in Spanish my girl friend
- ⑨ started a fight with me and I kick her out
- ⑩ so they tell me turn around I say for what I've Done Nothing wrong they Rough me to the ground,
- ⑪ we get to the 40th percent they put me in the Bathroom.

- 12) OFFICER Barry and A Female Come and talk to me
- 13) I said I don't want to talk, she says yeah the captain's right this one thinks he's tuff
- 14) so no she goes out Barry lights a cigarette ASK me do I want one I say yeah.
- 15) I ASK him why you look so nervous like you high on cocaine, he says they got it out for you
- 16) that's when 4 Cops come in and have no uniforms on 3 male John Does the female behind them they tell me Remove your clothes
- 17) I feel ashamed so I said no! they say take your earrings off too I said no
- 18) female says see he think he tuff JANE DOE
- 19) male John Doe says I got something for that And from there and I remember is getting the BEATING of my life Boots and one cop with a baton
- 20) I close my eyes and hope it would end fast But it didn't it was the longest beating I thought I had,
- 21) now BARRY is saying Stop I think he had enough

- 22) So I guess he stood there watching with female cop
- 23) Now Remember no uniforms and dress in All Black like ARMY close so I couldn't recognize or identify by names
- 24) But I will ALWAYS Remember there faces
- 25) female Brown skin long Black hair nasty Dirty truck Driver mouth cruses alot
- 26) Captain White male 40s maybe 45 Redish hair
- 27) Other two male John Does look IRISH OR Indian Black grease BACK DiAs Redish face owe the white Also About 5'10 LEAN Builds like they workout
- Thats on June 3rd But thats the most I can get in Detail.

2nd Amended Statement

DAT Novth 3/16

- 1) I am walking Home From Buying A pack of cigarettes going Back Home
- 2) I See two Thon Doe Black Uniforms plan Army type ~~clothes~~ clothes
- 3) I Recognize 3rd ~~guy~~ AS Officer Barry He SAYS was up
- 4) I SAY Don't say was up He SAY way you Ain't keep your mouth closed
- 5) I SAY what He SAY you seeing us for what happen and you Called A.I
- 6) I Said So the two that Where with SAY lets take him
- 7) they SAY you should Have Never came out Side they put me in unmarked car
- 8) Call some one on phone not Walkie talkie
- 9) We get to 40th precent they take me to Captains Desk He SAY Him Again now now
- 10) you going to be fullp Again, I SAY NO

- 11) We Walk to Bathroom Barry tell me man I feel Bad for you, Because you got it coming to you AGAIN
- 12) Now I am getting flash Backs Because his Being Nervouse AGAIN like he's on coke and offers a smoke I say Sure
- 13) At that moment no female this time
- 14) Captain Red Hair Which I say Hey its Howdy Dudey He says ~~oh~~ all you a smart as Now too
- 15) He saying when you old friends come you wont be so smart and tuff
- ~~16) 3 Cops~~
- 16) 3 Cops Come 2 I Reconize from last time they tell me Stripe and take OF EARRINGS Now Remember last time
- 17) I said I Don't care I not Striper nor Removing earring and there you go Another Beating this one was wrose
- 18) But to me it was De)ALVOO Same and Simalar except they got me off the Street

- 19) So to the Best I can Remember
this is what happen to me
- 20) If the WAS ONnest Cop and treated
me with Respect and DID Not Beat
me till I could Move
- 22) I would Not make a thingup like
this is Agraist my Religion which I am
Jewish
- 23) I Also Suffer From PTSD and I am
a Bipolar Skitso,
- 24) I was in a mica program for my
Help
- 25) But to my understanding and Knowledge
this Statement is the truth and
nothing But the truth
to the Best of what I Remember
I am have Nightmares

Sworn to before me on
this 19th day of January 2018
Notary
public Andrew Wilson

Yours truly
Emmanuel Cañion